

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DAVID M. BARNETT,

Petitioner,

v.

DON ROPER,

Respondent.

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No. 4:03CV00614 ERW

**JUDGMENT**

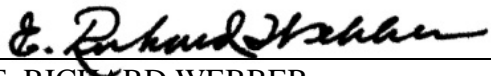
This matter comes before the Court after an evidentiary hearing regarding Petitioner David Barnett's habeas claim of ineffective assistance of trial counsel.

In accordance with the Memorandum and Order entered on this date and incorporated herein,

**IT IS HEREBY ORDERED** that as to the expanded Ground I claim, Petitioner David Barnett's "Application for Habeas Corpus" [ECF No. 15] is **GRANTED**.

**IT IS FURTHER ORDERED** that the State of Missouri shall either sentence David Barnett to life imprisonment without eligibility for probation or parole, or grant him a new penalty-phase trial within 180 days from the date of this Memorandum and Order.

Dated this 18th Day of August, 2015.

  
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E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE